

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-18 are presently active in this case, Claim 3-4, 8, 9 11, 12 and 16 having been amended, Claims 1-2 and 5-7, 10 and 13-15 canceled, and Claim 17-18 added by the present amendment.

In the outstanding Official Action, the Disclosure was objected to because of informalities; Claim 1-5, 8-13 and 16 were rejected under 35 U.S.C. 102(b) as being anticipated by P. Aarnio, et al. "Using simulation during Development of Combined Manipulator and Hybrid Locomotion Platform", 6/18/2001, pages 1-8, Helsinki University of Technology, Espoo, Finland, hereinafter referred to as Aarnio; Claims 6, 7, 14, and 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Aarnio further in view of V. Gupta, et al., "Computing with continuous change" Dept. of Mathematical and Computer Science, Loyola University-Lake Shore Campus, Chicago, IL 60626, 7 May 1999, pages 1-53, hereinafter referred to as Gupta; and Claims 1-5, 8-13, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Aarnio. Claims 6, 7, 14, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aarnio, and further in view of Gupta.

In response to the objection to the specification, the informality noted has been corrected herewith. Also, the spelling of --Palo Alto-- at page 2, line 19 of the specification has been corrected. Accordingly, the objection to the specification is believed to have been overcome.

In view of the several grounds for rejection, the claims have been amended to clarify the claimed invention and thereby more clearly patentably define over the cited prior art. Support for the claims is found in the disclosure as originally filed, including the canceled

claims. For example, new Claim 17 includes subject matter formerly stated in Claims 1, 2 and 5-7. Claim 9 has similarly been amended and new Claim 18 defines subject matter of Claim 17 in apparatus format. No new matter has been added.

The newly submitted claims state subject matter using a "class" to select variables. Applicants respectfully submit that using a "class" to select variables clearly differs over the disclosure of Aarnio. For this reason, Applicants have combined original Claims 1, 2 and 5-7 into new Claim 17.

The outstanding Office Action rejects original Claim 6, asserting that the "selection of variables based on a class" can be easily thought of from the disclosures of both of Aarnio and Gupta. Applicants respectfully disagree in view of the "predefined hybrid model" described in the specification at page 35, lines 25-26, for example. Specifically, the model of an actuator (such as a motor, etc.) for simulation is not defined every time for performing the simulation, but a predefined actuator model is used. One of the points of the claimed invention is therefore using the "class" for registering the actuator in advance. Such subject matter is not believed to be disclosed in the cited art and is believed to be patentably distinguishing thereover.

Furthermore, Claim 17 includes the limitation, "selecting a class of predefined hybrid model to which the selective variables belongs." This feature, similarly recited in Claims 9 and 18, limits the claimed invention to a "class" which is a "predefined model," as supported by the disclosure at page 36 of the specification, for example. Neither of the applied Aarnio and Gupta discloses or obviates this feature.

The remaining references of record have also been considered, but are deemed no more pertinent than Aarnio and Gupta. The pending amended claims are therefore believed to be patentably distinguishing over the cited prior art of record.

Consequently, in view of the present amendment and in light of the above comments, no further issues are believed to be outstanding, and the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

I:\ATTY\EHK\24'S\247087\247087US-AMENDMENT-10.21.06.DOC